No. 200400326

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pybas Vegetable Seed Co., Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR ORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE PURPOSE , OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PR Y THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

CELERY

'Command'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this fifteenth day of June, in the year two thousand and five.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

REPRODUCE LOCALLY. *Include form number and date on all reproductions*

Form Approved - OMB No. 0581-005

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER
Pybas Vegetable Seed Co., Inc. (BT: 6/13/2005 per applicant's authorization)

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME
PYC 2531

3. VARIETY NAME
Command

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*
2320 Thompson Way, Unit H
Santa Maria, CA 93455

5. TELEPHONE *(Include area code)*
805-922-4624

FOR OFFICIAL USE ONLY

PVPO NUMBER
200400326

6. FAX *(Include area code)*
805-928-0293

FILING DATE
9/27/04

7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION *(corporation, partnership, association, etc.)*
Corporation

8. IF INCORPORATED, GIVE STATE OF INCORPORATION
California

9. DATE OF INCORPORATION
12-16-83

10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. *(First person listed will receive all papers)*
Keith Trammell
Pybas Vegetable Seed Co., Inc. (BT: 6/13/2005 per applicant's authorization)
P.O. Box 868
Santa Maria, CA 93456

FEES RECEIVED

FILING AND EXAMINATION FEES:
$ 3652
DATE 9/27/04

CERTIFICATION FEE:
$ 432.00
DATE 6/06/2005

11. TELEPHONE *(Include area code)*
805-922-4624

12. FAX *(Include area code)*
805-928-0293

13. E-MAIL
Keithtrammell@pybasseeds.com

14. CROP KIND *(Common Name)*
Celery

15. GENUS AND SPECIES NAME OF CROP
Apium graveolens L.

16. FAMILY NAME *(Botanical)*
Umbelliferae

17. IS THE VARIETY A FIRST GENERATION HYBRID?
☐ YES ☑ NO

18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)

a. ☒ Exhibit A. Origin and Breeding History of the Variety
b. ☒ Exhibit B. Statement of Distinctness
c. ☒ Exhibit C. Objective Description of Variety
d. ☐ Exhibit D. Additional Description of the Variety *(Optional)*
e. ☒ Exhibit E. Statement of the Basis of the Owner's Ownership
f. ☒ Voucher Sample *(2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)*
g. ☒ Filing and Examination Fee ($2,705), made payable to "Treasurer of the United States" *(Mail to the Plant Variety Protection Office)*

19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? *See Section 83(a) of the Plant Variety Protection Act)*
☐ YES *(If "yes", answer items 20 and 21 below)* ☒ NO *(If "no", go to item 22)*

20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? ☐ YES ☐ NO
IF YES, WHICH CLASSES? ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ YES ☐ NO
IF YES, SPECIFY THE NUMBER 1,2,3, *etc.* ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED
(If additional explanation is necessary, please use the space indicated on the reverse.)

22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES?
☒ YES ☐ NO
IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. *(Please use space indicated on reverse.)*

23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT *(PLANT BREEDER'S RIGHT OR PATENT)*?
☐ YES ☒ NO
IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. *(Please use space indicated on reverse.)*

24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER	SIGNATURE OF OWNER
Robert E Pybas	
NAME *(Please print or type)*	NAME *(Please print or type)*
Robert E. Pybas	
CAPACITY OR TITLE: President	DATE: 9-20-04
CAPACITY OR TITLE	DATE

200400326

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable *(in the sense that it will reproduce an entire plant)* tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for $2,7 ($320 filing fee and $2,385 examination fee), payable to "Treasurer of the United States" *(See Section 97.6 of the Regulations and Rules of Practice.)* Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfiled. Mail application and other requirements to Plant Var Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amo of $320 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office
Telephone: (301) 504-5518
FAX: (301) 504-5291
Homepage: http://www.ams.usda.gov/science/pvpo/pvp.htm

ITEM

18a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
(2) the details of subsequent stages of selection and multiplication;
(3) evidence of uniformity and stability; and
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified

18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If th new variety is most similar to one variety or a group of related varieties:

(1) Identify these varieties and state all differences objectively;
(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.

18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.

18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, *etc.*

18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.

19. If "Yes" is specified *(seed of this variety be sold by variety name only as a class of certified seed)*, the applicant **MAY NOT** reverse this affirmative decisior after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. *(See Regulations and Rules of Practice, Section 97.103).*

22. *See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.*

23. *See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.*

21. CONTINUED FROM FRONT *(Please provide a statement as to the limitation and sequence of generations that may be certified.)*

22. CONTINUED FROM FRONT *(Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)*

First date of seed sale: 5-27-2004. We market our seed through a dealer network and have no direct knowledge of sales of crops of 'Command'.

23. CONTINUED FROM FRONT *(Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)*

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. *(See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)*

To avoid conflict with other variety names in use, the applicant must check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705. Telephone: (301) 504-8089. http://www.ams.usda.gov/lsg/seed/ls-sd.htm

S&T-470 (04-01) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (02-99) which is obsolete.

EXHIBIT A

Breeding History and Origin
of the Celery Variety

'Command' (PYC 2531)

Command (PYC 2531) originated from a cross made in the summer of 1990 between the variety Matador and 85-6-3, a slow bolting selection from the variety Napolean. The F1 seed was harvested in late summer and planted a few weeks later. The F1 seedlings were transplanted to outdoor pots in January of 1991 and induced to bolt that winter. They flowered, were caged singly, and produced F2 seed which was harvested in October of 1991.

In the spring of 1992 seedlings of the F2's were transplanted to a field trial in Lompoc, California that was heavily infested with fusarium. Several highly resistant F2 plants with excellent horticultural features were selected, overwintered outdoor in pots in Santa Maria, California, and caged separately in the summer of 1993. F3 seed was harvested that October.

The several F3 lots were seeded later that fall and were transplanted into a bolting trial in Lompoc in January 1994. A few non bolting plants from the slowest bolting lines were selected and transplanted into pots in April. These plants were held over through the winter of 1994-95 and flowered in summer, 1995, The F4 seed was harvested off these plants in October 1995.

Later that month the F4's were seeded for a bolting trial, and were transplanted to the field in January, 1996. There was segregation within and between lines in this trial for petiole smoothness and thickness, compactness, stalk diameter, and bolting ease. One line, however, was quite uniform and consistently had plants of large diameter stalks. Two outstanding non bolting plants from this line were selected that spring in April. They were held in pots, overwintered outdoors 1996-97, caged singly the following summer, and produced F5 seed in October, 1997.

Both F5 seed lots were seeded in April, 1998 and transplanted to a field location in Santa Maria, California known for years to be heavily infested with with fusarium. Both plots were the same in type and had good fusarium resistance and excellent size. The one plot of the two judged to be the most uniform was given the experimental designation PYC 2531. Six plants were selected from it, potted, and were overwintered 1998-99 for cold induction. They flowered and were massed together in a large cage in the summer of 1999, producing F5M seed which was harvested in October of that year.

Remnant F5 seed of PYC 2531 was trailed in 1999. It was observed again to be uniform and stable.

In the years 2000 and 2001 we continued trailing PYC 2531 with the F5M lot produced in 1999 both in our own trailing program and with the California Celery Research Board Trials.

In 2001 we grew the first commercial seed production crop of PYB 2531 in Lompoc, California. We continued trailing the line with this lot in 2002 and 2003 and continued to observe its uniformity and stability. PYC 2531 was named 'Command' early in 2003, and was first sold on 5/27/2004.

No off types or variants have been observed in 'Command'.

EXHIBIT B

Statement of Distinctness
For the Celery Variety 'Command'

Command is most similar to the variety Matador, its female parent. They are both highly fusarium resistant, have petioles of equal width and thickness, and are not significantly different from each other in weight of the trimmed stalks. There are a number of significant differences however. Command is shorter in height than Matador (75.6 cm Vs 80.4 cm), and it has a shorter petiole length to the first node (28.9 cm Vs 32.4 cm). Command has a greater number of inner petioles than Matador, (4.6 Vs. 3.5) and a greater number of outer petioles (11.0 Vs. 9.8).

The comparative figures above are the overall means from Trials 1 and 2 which follow.

Command is also slower to bolt than Matador in terms of the length of its seed stem when grown under bolting conditions. (Trial 3)

EXHIBIT B

Trial 1. Santa Maria, CA. Seeded: 6/13/2003. Transplanted : 8/15/~~2004~~ 2003 Harvested: 11/18/2003 and 4/25/05. Randomized Complete Block Design. Four Replications. Sample Size: 12 Plants
ANOVA: F (req'd)0.05 = 10.13, F (req'd)0.01=34.12

	Command	Matador
Stalk Wt.		
Mean (gms)	1010	1004
Std. Dev.	49.1	26
ANOVA		
F(calc.) = 0.05 NS		
Plant Height		
Mean (cm)	81.9	87.9
Std. Dev.	1.6	0.6
ANOVA		
F(calc.) = 64.8**		
Petiole Length		
Mean (cm)	32.4	36.6
Std. Dev.	1.2	0.6
ANOVA		
F(calc.) = 63.3**		
No. Outer Petioles		
Mean	11.4	9.9
Std. Dev.	0.4	0.5
ANOVA		
F(calc.) = 17.1*		
No. Inner Petioles		
Mean	4	3.2
Std. Dev.	0.2	0.1
ANOVA		
F(calc.) = 128**		

Trial 1. cont.

	Command	Matador
Petiole Width		
Mean (mm)	21	21.1
Std. Dev.	0.5	0.5
ANOVA		
F (calc.) = 0.04 NS		
Petiole Thickness		
Mean (mm)	10.6	10.7
Std. Dev.	0.5	0.3
ANOVA		
F (calc.) = 0.19 NS		

EXHIBIT B

Trial 2. Los Alamos, CA. Seeded:2/6/2004. Transplanted: 4/17/2004. Harvested: 7/12/2004. Randomized Complete Block Design. Four Replications: Sample Size 12 Plants.
ANOVA: F(req'd)0.05=10.13, F(req'd).01=34.12

	Command	Matador
Stalk Wt.		
Mean (gms)	1021	873
Std. Dev.	115	46.8
ANOVA		
F (calc.) = 7.57 NS		
Plant Height		
Mean (cm)	69.2	72.8
Std. Dev.	1.4	1.6
ANOVA		
F (calc.) = 49.5**		
Petiole Length		
Mean (cm)	25.3	28.2
Std. Dev.	0.9	0.9
ANOVA		
F (calc.) = 36.8**		
No. Outer Petioles		
Mean	10.6	9.7
Std. Dev.	0.3	0.4
ANOVA		
F (calc.) = 25.6*		
No. Inner Petioles		
Mean	5.2	3.8
Std. Dev.	0.5	0.3
ANOVA		
F (calc) = 19.1*		

Trial 2. (cont.)

	Command	Matador
Petiole Width		
Mean (mm)	21.5	20.5
Std. Dev.	1.5	0.9
ANOVA		
F (calc.) = 3.0 NS		
Petiole Thickness		
Mean (mm)	9.8	9.7
Std. Dev.	0.4	0.4
ANOVA		
F (calc.) = 0.2 NS		

EXHIBIT B

Trial 3. Santa Maria, CA. Seeded: 10/16/2003. Transplanted:1/5/2004. Evaluated: 5/4/2004. Randomized Complete Block Design. Four Replications. Sample Size: 12 plants.
ANOVA: F(req'd)0.05=10.13, F(req'd)0.01=34.12

	Command	Matador
Seed Stem Length		
Mean (cm)	19.9	27.1
Std. Dev.	0.3	2.4
ANOVA:		
F(calc.) = 47.2**		

FORM APPROVED: OMB NO. 0581-0055

EXHIBIT C
(Celery)

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
COMMODITIES SCIENTIFIC SUPPORT DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

OBJECTIVE DESCRIPTION OF VARIETY

CELERY (Apium graveolens L. var. *dulce* (Miller) Pers.)

NAME OF APPLICANT(S)	TEMPORARY DESIGNATION	VARIETY NAME
Pybas Vegetable Seed Co., Inc. (bt: 6/13/2005)	PYC 2531	Command

ADDRESS *(Street and No., or R.F.D. No., City, State, and Zip Code)*
2320 Thompson Way, Unit H
P.O. Box 868
Santa Maria, CA 93456

FOR OFFICIAL USE ONLY
PVPO NUMBER
200400326

Place numbers in the boxes to designate the expressions which are characteristic of the application variety. Data for quantitative plant characters should be based on a minimum of 50 plants. Include leading zeros when necessary (e.g., [0][8][9]) for quantitative data. Comparative data should be determined from varieties entered in the same trial with the same planting or transplant date. Plant colors may be precisely designated by using any recognized color chart, e.g., The National Bureau of Standards Color Kit 2107.

COMPARISON VARIETIES
(For Use Below)

5. Matador

1 = Tall Utah 52-70R Improved 2 = Florida 683 3 = Summer Pascal 4 = Tall Golden Self Blanching

1. TYPE:

[1]

1 = Crystal Jumbo (Tall Utah 52-70R Improved)
2 = Ordinary Utah (Tall Utah 10-B)
3 = Pascal (Summer Pascal)
4 = Green Intermediates (Slow Bolting Green No. 96)
5 = Yellow (Tall Golden Self Blanching)
6 = Other *(Specify)* _____

2. MATURITY:

Number of days from transplanting to harvest date (during principal production period of growing location):

[8][6] Days in Western U.S. *(Specify growing location and transplant date):* Los Alamos, CA transplanted: 4-17-04

[ ][ ] Days earlier than [ ]
Same as [5] } Comparison Varieties
[ ][ ] Days later than [ ]

[ ][ ] Day's in Eastern U.S. *(Specify growing location and transplant date):* _____

[ ][ ] Days earlier than [ ]
Same as [ ] } Comparison Varieties
[ ][ ] Days later than [ ]

Class (as determined by number of days from transplanting to harvest maturity):

[3] In Western U.S.
[ ] In Eastern U.S.

1 = Very Early (< or = 70 days)
2 = Early (71 - 85 days)
3 = Midseason (86 - 100 days)
4 = Late (101 - 115 days)
5 = Very Late (> or = 116 days)

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3. PLANT (At Harvest Maturity):

Height (from crown to top of leaves):

Mean: 76 cm

Most common range: 70 to 79 cm

[ ] cm taller than [ ]
Same as [ ]
[4] cm shorter than [5]
} Comparison Varieties

LSD .05 = [2].[5] cm Trial 1
1.6 Trial 2

Height class (as determined by mean plant height):

[3] 1 = Short (< 48cm) 2 = Medium (48-61cm) 3 = Tall (> 61cm)

[11].[0] Number of outer petioles (40cm or longer) per plant

[1].[2] More than [5]
Same as [ ]
[ ].[ ] Less than [ ]
} Comparison Varieties

LSD .05 = [1].[14] Trial 1
0.57 Trial 2

[4].[6] Number of inner petioles (less than 40cm) per plant

[1].[1] More than [5]
Same as [ ]
[ ].[ ] Less than [ ]
} Comparison Varieties

LSD .05 = [0].[23] Trial 1
1.00 Trial 2

Stalk Shape ("Stalk" refers to a market trimmed plant):

[1] 1 = Cylindrical (Tall Utah 52-70R Improved) 2 = Flaring (Summer Pascal) 3 = Spindle (Tall Utah 10-B)

Stalk Conformation:

[1] 1 = Compact (Tall Utah 52-70R Improved) 2 = Slightly Open (June-Belle) 3 = Loose (Summer Pascal)

Heart Formation:

[3] 1 = Sparse (Summer Pascal) 2 = Medium 3 = Full (Tall Utah 52-70R Improved)

4. PETIOLE (Outer marketable petioles of stalk; use same petioles and number of petioles for length, width, and thickness measurements):

Length (from butt to first joint):

Mean: 29 cm

Most common range: 26 to 33 cm

[ ] mm longer than [ ]
Same as [ ]
[3] mm shorter than [5]
} Comparison Varieties

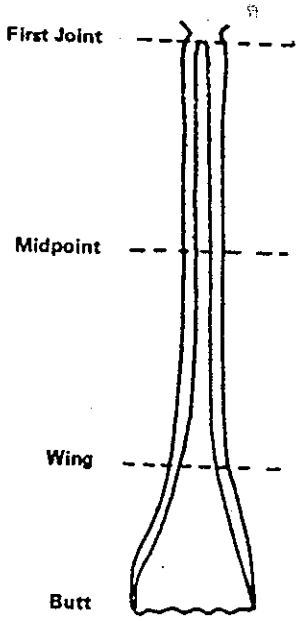
LSD .05 = [1].[2] ~~mm~~ cm Trial 1
1.5 Trial 2

ETIOLE (Continued)

Length Class (as determined by mean petiole length):

[2] 1 = Short (< 20cm) 2 = Medium (20-30cm) 3 = Long (> 30cm)

DIAGRAM OF PETIOLE



Width (at midpoint between wing and first joint):

[2][1] mm

[ ] mm wider than [ ]
Same as [5]
[ ] mm narrower than [ ]

Comparison Varieties

LSD .05 = [ ].[ ] mm

(not significant)

Jas 4/6/04

Thickness (at midpoint between wing and first joint):

[1][0] mm

[ ] mm thicker than [ ]
Same as [5]
[ ] mm thinner than [ ]

Comparison Varieties

LSD .05 = [ ].[ ] mm

(not significant)

CROSS SECTION AT MIDPOINT

Site of Thickness Determination

Cross-sectional Shape (at midpoint between wing and first joint):

[2] 1 = Deeply Cupped

2 = Moderately Cupped

3 = Slightly Cupped

4 = Nearly Flat

Color (Unblanched at harvest):

[4] 1 = Yellow (Tall Golden Self Blanching)
2 = Light Green (Earlibelle)
3 = Medium Green (June-Belle)
4 = Dark Green (Tall Utah 52-70R Improved)
5 = Very Dark Green (Tall Utah 52-75)

Color Chart Value (Specify chart used; Royal Horticultural Soc. Color Chart):

Application Variety 144A

Comparison Variety 144A Matador

Anthocyanin:

[1] 1 = Absent 2 = Present

Stringiness:

[3] 1 = Very Slight (June-Belle) 2 = Moderate (Florida 683) 3 = Normal (Tall Utah 52-70R Improved)

Ribbing:

[2] 1 = Inconspicuous (Summer Pascal)

2 = Moderate (Tall Utah 52-70R Improved)

3 = Prominent (Tall Golden Self Blanching)

Glossiness:

[2] 1 = Dull (Summer Pascal) 2 = Moderately Glossy (Tall Utah 52-70R Improved) 3 = Glossy (Golden Detroit)

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5. LEAF BLADE (Of outermost petioles of trimmed plant):

Color of Upper Surface:

[2] 1 = Yellowish Green (Tall Golden Self Blanching) 2 = Dark Green (Tall Utah 52-70R Improved) 3 = Other *(Specify)* _____

Color Chart Value *(Specify chart used;* Royal Horticultural Soc. Color Chart):

Application Variety 146 A

Comparison Variety 146 A Matador

6. BOLTING:

Class:

[2] 1 = Easy Bolting (Tall Utah 52-70R Improved) 2 = Slow Bolting (Slow Bolting Green No. 96) 3 = Very Slow Bolting (Tall Non-Bolting Golden Plume)

[8][5] % Plants Bolted in Seedling Year *(Specify growing location and transplant date for field tests, or temperature and length of vernalization period for artificial induction;* Santa Maria, CA. Seeded: 10-16-03 Transplanted: 1-5-04):

[ ][ ] % More plants bolted than [ ]

Same % plants bolted as [ ]

[1][3] % Less plants bolted than [5]

1 = Tall Utah 52-70R Improved
2 = Florida 683
3 = Golden Plume
4 = Slow Bolting Green No. 96
5 = Matador

(Seedstems ≥ 15 cm considered as bolted)

7. STRESS TOLERANCE (0 = untested, 1 = susceptible, 2 = tolerant; data from replicated tests comparing the application variety with the indicated susceptible (S) and tolerant (T) check varieties should be provided whenever possible in Exhibit D):

[0] Adaxial Crackstem (Boron Deficiency; S = Utah 10-B, T = Tall Utah 52-70R Improved)

[0] Abaxial Crackstem (Boron Deficiency; S = Florimart, T = Florida 683)

[0] Leaf Margin Chlorosis (Magnesium Deficiency; S = Utah 10-B, T = Tall Utah 52-75)

[0] Blackheart (Calcium Deficiency; S = Florida 683)

[0] Pithiness (Nutritional Deficiency; S = Tall Utah 52-70R Improved, T = Florida 2-13)

[ ] Other *(Specify)* _____

8. DISEASE RESISTANCE (0 = untested, 1 = susceptible, 2 = resistant; data from replicated tests comparing the application variety with the indicated susceptible (S) and resistant (R) check varieties should be provided whenever possible in Exhibit D):

[0] Bacterial Leaf Spot *(Pseudomonas cichorii;* S = Florida 683, R = Florimart*)*

[0] Early Blight *(Cercospora apii;* S = Florida 683, R = Florimart*)*

[1] Late Blight *(Septoria* spp.*;* S = Florida 683*)*

[2] Fusarium Yellows, Race 1 *(Fusarium oxysporum* f. sp. *apii;* S = Fordhook, R = Tall Utah 52-70R Improved*)*

[2] Fusarium Yellows, Race 2 *(Fusarium oxysporum* f. sp. *apii;* S = Tall Utah 52-70R Improved*)*

[0] Western Celery Mosaic *(Marmor umbelliferarum;* S = Florida 683*)*

[0] Southern Celery Mosaic *(Marmor cucumeris* var. *commelinae;* S = Florida 683*)*

[0] Pink Rot *(Sclerotinia* spp.*;* S = Florida 683*)*

[ ] Other *(Specify)* _____

9. INDICATE THE VARIETY THAT MOST CLOSELY RESEMBLES THE APPLICATION VARIETY FOR THE FOLLOWING CHARACTERS:

CHARACTER	VARIETY	CHARACTER	VARIETY
Plant Height	Sonora	Leaf Color	Matador
Petiole Color	Matador	Maturity	Matador
Petiole Length	Sonora	Bolting Resistance	T.U. 52-75

NOTE: *Any additional descriptive information and supporting documentation may be provided as Exhibit D.*

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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

Application is required in order to determine if a plant variety protection certificate is to be issued *(7 U.S.C. 2421)*. The information is held confidential until the certificate is issued *(7 U.S.C. 2426)*.

1. NAME OF APPLICANT(S)
Pybas Vegetable Seed Co., Inc.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER
PYC 2531

3. VARIETY NAME
Command

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP, and Country)*
2320 Thompson Way, Unit H
P.O. Box 868
Santa Maria, CA 93456

5. TELEPHONE *(Include area code)*
805-922-4624

6. FAX *(Include area code)*
805-928-0293

7. PVPO NUMBER
200400326

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. **If no, please explain** [X] YES [ ] NO

9. Is the applicant (individual or company) a U.S. National or a U.S. based company? **If no, give name of country** [X] YES [ ] NO

10. Is the applicant the original owner? [X] YES [ ] NO **If no, please answer one of the following:**

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

[ ] YES [ ] NO **If no, give name of country**

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

[ ] YES [ ] NO **If no, give name of country**

11. Additional explanation on ownership *(If needed, use the reverse for extra space)*:
'Command' was developed by Robert Pybas, President, and Keith Trammell, Plant Breeder for Pybas Vegetable Seed Co., Inc.

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.

2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.

3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.